

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Establishment –Cooperation Department – Sri G.Muthyala Naidu, Senior Inspector (Retd), Visakhapatnam District – Condonation of break period in Service from 1-9-1969 to 30-08-1972 for the purpose of pension –Orders –Issued.

AGRICULTURE & COOPERATION (COOP.II) DEPARTMENT

G.O.Rt.No. 886

Dated.28-06-2013

Read the following:

1. From the CC&ARCS, A.P., Hyderabad, Lr.Rc.No.46711/01-E5, dated.10-01-2002 & 09-01-2003.
2. From Commissioner, PR&RE, Lr.No.1068/CPR &RE/K1/ 2007, dated.31-10-2008.
3. From CC&RCS, A.P., Hyderabad Lr.Rc.No.34404/2003/SR-I,dated.30-03-2013.

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ORDER:

In the reference 1st read above, the Commissioner for Cooperation &Registrar of Cooperative Societies, A.P.,Hyderabad has stated that Sri G.Muthyala Naidu, Sr.Inspector (Retd) was Joined as Village Level worker in the Panchyat Samithi, Ananthagiri on the FN of 13-09-1965 and worked there up to 30-8-1967. He underwent work Village Level Worker Training from 2-9-1967 to 31-8-1969 duly availing transit period of 2 days i.e., 31-8-67 & 1-9-1967. After completion of Training he was not given posting for want of vacancies, hence, he was waiting for posting from 1-9-1969 to 30-8-1972 i.e., 3 years. Later he was joined as L.D.C as per orders of District Collector in Coop.Deptt., West Godavari on the FN of 31-08-1972 and he retired on AN of 30-06-1999 on attaining the age of Superannuation as Sr.Inspector. He has therefore requested to condone the break period of 3 years and 2 days and issue orders for pensionary benefits.

2. The District Cooperative Officer, Visakhapatnam has also submitted that the individual was under compulsory wait for posting for a period of 3 years 10 months 11 days and requested the Govt., to issue necessary orders in the matter.

3. In the reference 2nd read above the Commissioner, Panchayat Raj & Rural Employment in his letter dated.31-10-2008 has informed that the Village Level Worker(VLW) posts were abolished due to abolition of IAAP programme and Govt., had issued orders to accommodate such Village Level Workers in other Departments as LDCs.

4. The Panchayat Raj & Rural Development (MDL.III) Deptt., has stated that according to Govt, Memo.No.2977/Estt.III/1970-1, dated.9-3-1970 of Plg &PR Deptt., Govt., had taking steps to re-allot the Village Level Workers retrenched due to abolition of IAAP Programme in various Districts. As the Village Level Workers who have successfully completed their training in 1968-69 could not be given posting, the question of appointments VLWs will have to be considered after the retrenched personnel who are senior to them absorbed. At that time it was not possible to appoint the newly trained candidates as VLW for want of vacancies.

5. The Panchayat Raj & Rural Development Deptt., has also stated that as per Lr.of CC&RCS, A.P., Hyderabad vide Rc.No.50746/73-E1 (B), dated.16-4-1975, in G.O.Ms.No.14, Plg & Co-Op.Deptt., dated. 10-01-1972, Govt., had sanctioned 187 posts of LDCs for the Offices of Taluk Co-operative Officers in the districts and requested that the posts sanctioned shall be filled up by the VLWS who are rendered as surplus in PR Deptt. All the districts Collectors were requested to prepare a seniority list of Village Level Workers with reference to the service particulars of the retrenched VLWs to be absorbed to the extent of Taluks available and issue appointment orders. Accordingly the Collector (Co-operation) have issued appointment orders absorbing the surplus VLWs as LDCs in the O/o the Taluk Co-operative officers to the extent of Taluks available in their districts and the VLWs have joined duty as LDCs in the O/o the Taluk Cooperative Officers.

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6. The PR&RD Deptt., has further stated that Sri G.Muthyala Naidu was worked as un-trained VLW in PR Deptt., from 13-09-1965 to 30-08-1967 and underwent for training from 2-9-1967 to 31-8-1969 duly availing 2 days transit period i.e., 31-8-1967 and 1-9-1967. After completion of training he was not given posting in PR Deptt., due to abolition of IAAP Programme. Thereafter he worked in Co-operation Deptt., from 31-08-1972 till his retirement. There was a break in service for 2 days in PR Deptt., from 31-08-1967 and 1-9-1967 for which the PR&RD have no objection to condone since he availed as transit while undergoing for training. With regard to the broken period from 1-9-1967 to 30-08-1972 the PR&RD Dept has requested this Department to take necessary action as the individual was not worked in PR Deptt, after completion of his training as Village Level Worker. vide their U.O.No.1938/Mdl.II/2011, dated.5-2-2013

7. While examining the above proposal, the Finance (Pen.II) Deptt., have stated that to examine the issue as per Rule 27(d) and Rule 28 of APRPRs 1980 in consultation with G.A(Ser.A)Deptt., and take action accordingly.

8. Further, the G.A(Ser.A")Deptt., have stated that in G.O.Ms.No.1002, G.A (Ser.A) Deptt., dated.29-11-1967 certain guidelines were issued for regulation of pay leave, pension and seniority in respect of retrenched employees on their re-absorption. Further, para -I(iii) of said G.O., reads as follows:

"The period of former qualifying service at the time of their retrenchment will be linked with the period of subsequent qualifying service on re-absorption of the purpose of pension. The break in service between the date on which they were retrenched from service, and the date of their re-employment will be condoned but will not count for any purpose like increments, pension, etc., however, service will be regarded as continuous for the purpose of pension. Any pension or gratuity paid to the employees on retrenchment from his former post will have to be refunded to Government.

9. After careful examination of the matter and keeping in view of the instructions issued in G.O.Ms.No.1002, G.A(Ser.A)Deptt., dated.29-11-1969 and rule 27(d) and 28 of APRPRs 1980, Government hereby decided to consider the request of Sri G.Muthyala Naidu, Sr.Inspector (Retd) Coop., Deptt for condonation in break in services and order to condone the break in service on 31-08-1967 and 1-9-1967 and from 1-9-1969 to 30-8-1972, however service will be regarded as continuous for the purpose of pension.

10. The Commissioner for Cooperation &Registrar of Cooperative Societies A.P., Hyderabad is therefore requested to take further necessary action in the matter and also to apprise the position before Hon'ble APAT, through Govt., Pleader for (Coop) and to see the contempt case No.24/2013 in O.A.NO.10213/2011 is closed.

11. This order issues with the concurrence of Finance Department, vide their U.O.No.9866/59/A1/Pen.II/2013, dated.8-4-2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.C.V.S.K.SARMA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
The Commissioner for Cooperation & Registrar of
Cooperative Societies, A.P.
Hyderabad.
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER